

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 97-478-C - ORDER NO. 98-128

FEBRUARY 20, 1998

IN RE: Application of Sprint Communications Company for Modification of Tariff Filing Procedures.	) ORDER GRANTING ) MOTION TO CLARIFY ) ORDER NO. 98-31
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On January 16, 1998, the Public Service Commission of South Carolina ("the Commission") issued its Order No. 98-31 in which this Commission approved the request of Sprint Communications Company ("Sprint") for modification of its tariff filing procedures. By way of a Motion for Clarification, Sprint now requests that the Commission clarify Order No. 98-31.

In its Motion for Clarification, Sprint states that its intent in filing its Application for Modification of Tariff Filing Procedures (filed on November 13, 1997) was to request and to obtain authority to modify its tariff filing procedures to the same extent previously granted to AT&T Communications of the Southern States, Inc. ("AT&T") and subsequently granted to other carriers. Sprint states that the ordering paragraphs of Commission Order 95-1734 issued in Docket No. 95-661-C (AT&T's Order) included the following grant of authority:

Upon the filing of tariffs which reflect average toll rates within South Carolina, the tariff filing procedures will be modified to remove the maximum rate (cap) requirements on business services offered under the AT&T Private Line Service Tariff,

Customer Network Service tariff, and all Consumer Card and Operator Service Offerings.

AT&T Order at 12-13 (emphasis added).

Sprint notes that in Order No. 98-31, issued on January 16, 1998, in the instant Docket, the Commission stated that:

... Sprint's Application requesting modification of its tariff filing procedures should be granted. Pursuant to this Order, Sprint shall not be required to state maximum rates (caps) for its business service offerings. Such rates shall be presumed valid upon filing, subject to the Commission's right within seven (7) days to institute an investigation of the tariff filing, in which case such filing shall be suspended pending further Order of the Commission.

Order at p. 2 (emphasis added).

Sprint states that it files this Motion for Clarification to ensure that Sprint is permitted to utilize the same alternative regulation procedures granted to AT&T. See, Sprint's Motion for Clarification at p. 2.


In issuing Order No. 98-31, the Commission intended that Sprint be granted the same authority which was first granted for AT&T in Docket No. 95-661-C by Order No. 95-1734 and Order No. 96- 55. However, the Commission recognizes the difference in the language of the AT&T order and Order No. 98-31 and grants Sprint's Motion for Clarification. Therefore to dispel any doubt as to the authority granted to Sprint by Order No. 98-31, the Commission issues the following clarification:

Sprint shall not be required to state maximum rates (caps) for its business service offerings, all Consumer Card offerings, and Operator Service Offerings. Such rates shall be presumed valid upon filing, subject to the Commission's right within seven (7)


days to institute an investigation of the tariff filing, in which case such filing shall be suspended pending further Order of the Commission. Further, Sprint shall be subject to the same monitoring process as similarly regulated companies.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Deputy Executive Director

(SEAL)